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UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

-----X

IN RE:

CASE NO.: 23-17074-JKS

William J. Appleton Jr.,

CHAPTER 13

Debtor.

Judge: John K. Sherwood

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**NOTICE OF OBJECTION TO CONFIRMATION OF DEBTOR'S
MODIFIED CHAPTER 13 PLAN**

PLEASE TAKE NOTICE that SN Servicing Corporation as Servicer for U.S. Bank Trust National Association as Trustee of the Lodge Series III Trust ("Secured Creditor"), the holder of a mortgage on real property of the Debtor, located at 23 Maple Street, Ramsey, NJ 07446 by and through its undersigned attorneys, hereby objects to the confirmation of the Debtor's Modified Chapter 13 Plan on grounds including:

1. Debtor filed a Second Modified Chapter 13 Plan (Doc.:41) on September 24, 2024 which provides to cure Secured Creditor's pre-petition arrearages through the "Proceeds of Medical Malpractice Action anticipated by 12/2/24."
2. Secured Creditor filed a Proof of Claim (2-1) on September 28, 2023 which specified a pre-petition arrearage amount of \$249,815.84.

3. Based on the previous failures of the Debtor and Co-Debtor to cure Secured Creditor's claim; Secured Creditor is concerned about the feasibility of the Debtor to cure the substantial pre-petition arrears and maintain making post-petition payments required under the instant Chapter 13 Plan.
4. Furthermore, the funding of the Modified Chapter 13 Plan is almost completely based on a potential Medical Malpractice settlement. Secured Creditor believes this basis for funding is far too speculative to satisfy the feasibility requirements of 11 U.S.C. §1325(a)(6).
5. Debtor's proposed plan fails to comply with the requirements of the Bankruptcy Code and is not proposed in good faith.
6. Debtor's proposed plan fails to comply with other applicable provisions of Title 11.

In the event any portion of the claim is deemed to be an unsecured claim as defined by the Code, objection is hereby made pursuant to 11 U.S.C. 1325(a)(4) and 1325(b), *et seq.* unless the plan provides for full payment of the claim.

Dated: October 23, 2024
Garden City, New York

By: /s/ Charles Wohlrab
Charles Wohlrab, Esq.
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Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:
William J. Appleton Jr.
Debtor

Case No.: 23-17074-JKS

Chapter: 13

Adv. No.:

Hearing Date:

Hon. Judge: John K. Sherwood

CERTIFICATION OF SERVICE

1. I, Gloria Garcia:

☐ represent _____ in this matter.

☒ am the secretary/paralegal for Charles Wohlrab, Esq., who represents
U.S. Bank Trust National Association as Trustee of the Lodge Series III Trust, in this matter.

2. On October 23, 2024, I sent a copy of the following pleadings and/or documents to the parties listed
in the chart below.

- Objection to Plan (NJ)

3. I certify under penalty of perjury that the above documents were sent using the mode of service
indicated.

Date: October 23, 2024

/s/ Gloria Garcia
Signature

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
William J. Appleton 23 Maple Street Ramsey, NJ 07446	Debtor(s)	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other_____ (as authorized by the court *)
Barry Scott Miller Barry S. Miller, Esq. 1211 Liberty Avenue Hillside, NJ 07205	Debtor(s) Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other_____ (as authorized by the court *)
Marie-Ann Greenberg 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004	Bankruptcy Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other_____ (as authorized by the court *)
U.S. Trustee One Newark Center, Suite 2100 Newark Newark, NJ 07102	U.S. Trustee	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other_____ (as authorized by the court *)